

1 DAYLE ELIESON
United States Attorney
2 JARED L. GRIMMER
Assistant United States Attorney
3 501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
4 PHONE: (702) 388-6336
FAX: (702) 388-6418
5 Jared.L.Grimmer@usdoj.gov

6 *Counsel for the United States*

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

-oOo-

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 RICHARD LEE CANTERBURY,

13 Defendant.
14

Case No.: 2:16-cr-00107-KJD-PAL

MOTION FOR PERMISSION TO
DISCLOSE DEFENDANT'S
PRESENTENCING INVESTIGATION
REPORT

15 The government respectfully moves this Court to obtain permission to disclose a copy
16 of the defendant's Presentence Investigation Report to the U.S Attorney's Office in the
17 District of Arizona.

18 **MEMORANDUM OF POINTS AND AUTHORITIES**

19 On February 12, 2016, a complaint was filed in the District of Arizona charging
20 the defendant with Escape From Custody, in violation of 18 U.S.C. 751(a), alleging that
21 the defendant escaped from a half-way house in Florence, Arizona on January 27, 2016.

22 On April 6, 2016, the defendant was indicted for a violation of 18 U.S.C. 2113(a),
23 Bank Robbery. ECF 4. Following a guilty verdict in a jury trial, the defendant was later
24

1 sentenced by this Court on August 22, 2018 to 125 months custody. ECF 143. Prior to
2 the sentencing, the U.S. Probation Office from this District provided for the Court and
3 parties a detailed Presentencing Investigation Report (PSR) to aid this Court in
4 determine the appropriate sentence. The PSR states that disclosure of the PSR is
5 “prohibited without the consent of the sentencing judge.” PSR, page 4.

6 On October 24, 2018, the defendant was transferred from this District to the
7 District of Arizona under Rule 5.¹ The U.S. Attorney’s Office for the District of Arizona
8 has now requested of the U.S. Attorney’s Office for the District of Nevada, that a copy
9 of the defendant’s PSR be provided to aid in the prosecution of the escape charged in
10 2016.² As this Court has the authority to authorize disclosure of the PSR, the
11 government now seeks this Court’s permission to disclose a copy of the defendant’s PSR,
12 as requested, and in accordance with the disclosure restrictions as detailed in the PSR.

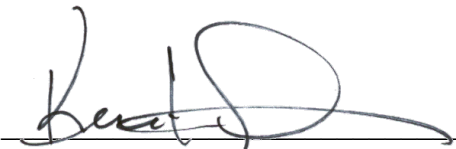
13 **DATED** this 14th day of November, 2018.

14 Respectfully Submitted,
15 DAYLE ELIESON
United States Attorney

16 //s//

17 JARED L. GRIMMER
Assistant United States Attorney

18 **IT IS SO ORDERED**

19 
20 KENT J. DAWSON
United States District Judge

21
22
23 ¹ 2:18-mj-00826-VCF; CR16-356-PHX-SPL District of Arizona

24 ² *Id.*